

**Re Box No. V**

- 1 In the present opinion reference is made to the following documents:

D1: DE 197 13 240 A (ENDRESS HAUSER GMBH CO) 1 October 1998

- 2 The present application does not fulfill the requirements of Article 33(1) PCT, because the subject matter of Claim 5 is not based on an inventive step within the meaning of Article 33(3) PCT.

Document D1 is regarded as the closest prior art. It discloses (the references in brackets relate to this document):

*Communication user* (see "controlling station" in column 2, lines 56-62) *in a bus system* (see column 2, lines 11-18), *able to transmit at a bus automatically* (see column 3, lines 31-34) *and*

- *having means for allocating to a station address* (see column 2, lines 63-66) *data* (see "serial number" in column 4, lines 49-52) *uniquely identifying another communication user and*
- *means for characterizing a station address as ~~non~~-occupied* (see column 2, lines 63-66 and column 3, lines 31-33),

from which the subject matter of the independent Claim 5 differs in that:

the communication user has means for characterizing a station address as non-occupied.

Document D1 describes the same advantages as the present application in respect of the characterization of the occupied station addresses.

Characterizing non-occupied station addresses instead of occupied station addresses merely relates to one of several obvious possibilities from which the person skilled in the art would choose without inventive assistance according to the circumstances in order to achieve the object proposed.

- 3 The present application does not fulfill the requirements of Article 33(1) PCT,

because the subject matter of Claim 6 is not novel within the meaning of Article 33(2) PCT.

Document D1 discloses (the references in brackets relate to this document):

*Communication user in a bus system (see "bus user" in column 4, lines 49-52, having means for sending a first communication user (see "controlling station" in column 4, lines 49-52) second data packets containing data uniquely identifying the communication user (see "serial number" in column 4, lines 49-52) and being able automatically to alter the station address thereof (see column 3, line 66 to column 4, line 5 or column 4, lines 61-63).*

- 4 Document D1 is regarded as the closest prior art. It discloses (the references in brackets relate to this document):

*Method for allocating station addresses to communication users in a bus system (see title), whereby precisely one first communication user (see "controlling station" in column 2, lines 56-62) able to transmit independently on a bus (see column 3, lines 31-24) can allocate data to a station address, said data uniquely identifying another communication user (see column 4, lines 47-52), or can characterize a station address as ~~non~~-occupied, in which method in each communication cycle (see column 2, line 67 – column 3, line 14),*

*- one or more other communication users each send the first communication user a second data packet containing their station address and data uniquely identifying the respective other communication user (see column 4, lines 47-52), whereby the data uniquely identifying the respective other communication user is allocated to the respective station address (see column 2, lines 63-66) by the first communication user and*

*- the first communication user sends all other communication users a third data packet containing the information about which station addresses are characterized as ~~non~~-occupied (see column 3, lines 30-33),*

*whereby a communication user that in an earlier communication cycle already sent the first communication user a second data packet containing data uniquely identifying this communication user and that in a subsequent communication cycle receives a first data packet containing data not uniquely identifying this communication user automatically alters the station address thereof to one of the station addresses characterized as non-occupied (see column 4, lines 58-65).*

From which the subject matter of the independent claim 1 differs in that:

*the first communication user in each case sends a first data packet to each station address, whereby the first data packet if necessary contains data allocated to the respective station address, said data uniquely identifying another communication user.*

The subject matter of Claim 1 is therefore novel (Article 33(2) PCT).

The object to be achieved with the present invention can thus be seen as a simplification of the address configuration.

The solution proposed in Claim 1 of the present application for this object is based for the following reasons on an inventive step (Article 33(3) PCT):

The existing prior art does not disclose any teaching which would lead the person skilled in the art to alter the address assignment from Document D1 in such a way that the controlling station sends a first data packet to each bus user with the respective serial number.

- 5 Claims 2-4 are dependent on Claim 1 and therefore likewise fulfill the requirements of the PCT in respect of novelty and inventive step.